

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASA ADAMS,

Defendant.

No. 11-CR-2014-LRR

**ORDER**

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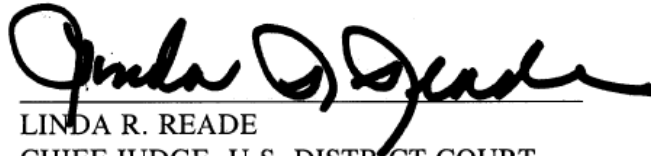
The matter before the court is Defendant Asa Adams's Objections (docket no. 40) to United States Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 29), which recommends that the undersigned deny Defendant's Motion to Suppress ("Motion") (docket no. 16).

When a party files a timely objection to a magistrate judge's report and recommendation, "[a] judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 29 U.S.C. § 636(b)(1); *United States v. Lothridge*, 324 F.3d 599, 600 (8th Cir. 2003); *see also* Fed. R. Crim. P. 59(b)(3) (stating "[t]he district judge must consider de novo any objection to the magistrate judge's recommendation"). "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *see also* Fed R. Civ. P. 59(b)(3) (stating a district judge "may accept, reject, or modify the recommendation, receive further evidence, or resubmit the matter to the magistrate judge with instructions"). It is reversible error for a district court to fail to engage in a de novo review of a magistrate judge's report when such review is required. *Lothridge*, 324 F.3d at 600.

After de novo review, the court agrees with Judge Scoles's findings of fact and conclusions of law. Accordingly, the Report and Recommendation is **ADOPTED**. Defendant's Objections are **OVERRULED**. The Motion is **DENIED**.

**IT IS SO ORDERED.**

**DATED** this 31st day of May, 2011.



LINDA R. READE  
CHIEF JUDGE, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA